DT05 Rec'd PCT/PTO 0 1 DEC 2004

PTS-0055USA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : unassigned Confirmation No.: unassigned

Applicant : Bennett et al.

Filed : Herewith

TC/A.U. : unassigned

Examiner : unassigned

Customer No. : 36441

Title : ANTISENSE MODULATION OF EXTRACELLULAR-

SIGNAL-REGULATED KINASE-6 EXPRESSION

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit to the Examiner the attached Form PTO/SB/08A/B document listing and this paper pursuant to 37 CFR § 1.56 and § 1.97-1.98. Form PTO/SB/08A/B is attached and copies of documents AL-AN and AR-CR are enclosed herewith. This Information Disclosure Statement is submitted less than three months from the filing date of this application and before the receipt of a first Office Action on the merits. Therefore, no fees are believed due.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

REMARKS

Listed below and provided herewith are previously filed, and co-pending, US Patent applications. These applications and the present application are commonly owned:

- (i) U.S. Patent Application No. 10/174,465, filed June 17, 2002; U.S. Patent Publication No. 2003-0232772, published December 18, 2003
- (ii) U.S. Patent Application No. 10/348,431, filed January 17, 2003; U.S. Patent Publication No. 2003-0232778, published December 18, 2003

Listed below are documents cited in the International Search Report dated August 18, 2003 in the counterpart International Patent Application No. PCT/US03/16214, filed June 16, 2003. A copy of the Report is enclosed together with copies of the documents.

- (i) U.S. Patent No. 5,801,154, issued September 1, 1998
- (ii) U.S. Patent No. 6,030,822, issued February 29, 2000
- (iii) U.S. Patent Publication No. 2002-0107218, published August 1, 2002
- (iv) DINEV et al., "Extracellular signal regulated kinase 5 (ERK5) is required for the differentiation of muscle cell", EMBO Reports September 2001 2:829-834

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(v) FRITZ et al., "Cationic polystyrene nonparticles: Preparation and characterization of a model drug carrier system for antisense oligonucleotides", J. Colloid and Interface Sci. November 15, 1997 195:272-288

The Examiner is respectfully requested to consider the enclosed documents identified in this paper and in the attached Form PTO/SB/08A/B during the course of examination of this application.

Respectfully submitted,

HOWSON AND HOWSON Attorneys for Applicants

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Sheet

			U. S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No.1	Olic Document Hamber	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US- 5,459,036	10-17-1995	Lechner et al.	
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	AF	^{US-} 6,579,856	06-17-2003	Mercola et al.	
	AG	us- 2003-0232772-A1	06-17-2002	Bennett et al.	
	АН	^{US-} 2003-0232778-A1	12-18-2002	Marcusson et al.	
		US-			
	†	US-			

	FORE	IGN PATENT DOCL	IMENTS		
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_	Country Code ^{3 -} Number ^{4 -} Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	Γ"
AL	EP-1174129	07-17-2000	Zenner et al.		<u> </u>
AM	WO-01/57278	01-01-2001	Penn et al.		<u> </u>
AN	WO-03/106711	12-24-2003	Bennett et al.		<u> </u>
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	AL AM	Cite No.1 Country Code3 Number 4 Kind Code5 (if known) AL EP-1174129 AM WO-01/57278	Cite No.1 Foreign Patent Document Publication Date MM-DD-YYYY AL EP-1174129 07-17-2000 AM WO-01/57278 01-01-2001	Date MM-DD-YYYY Applicant of Cited Document	Cite No.1 Foreign Patent Document Publication Date MM-DD-YYYY Country Code ³ "Number ⁴ "Kind Code ⁵ (if known) AL EP-1174129 Publication Date MM-DD-YYYY O7-17-2000 Zenner et al. AM WO-01/57278 Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear

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Sheet	2	of	4	Attorney Docket Number	PTS-0055USA	

		NONPATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item, (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	AR	BOPPART et al., "Marathon running transiently increases c-	
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	AX	GOEDERT et al., "Assignment of the human stress-activated protein kinase-3 gene (SAPK3) to chromosome 22q13.3 by fluorescence in situ hybridization", Genomics May 1, 1997 41:501-502	

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Examiner Signature	
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			Group Art Unit	unassigned	
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Sheet	T3	of	4	Attorney Docket Number	PTS-0055USA

		NONPATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item, (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	AY	GOEDERT et al., "Phosphorylation of microtubule-associated	
		protein tau by stress-activated protein kinases", FEBS	
		Lett. June 2, 1997 409:57-62	
	ΑZ	HADDAD, J.J., "VX-745. Vertex Pharmaceuticals", Curr. Opin.	
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Examiner Signature	Date	1
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	ВХ	MILLIGAN et al., "Current concepts in antisense drug design", J. of Med. Chem. July 9, 1993 36:1923-1937	
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